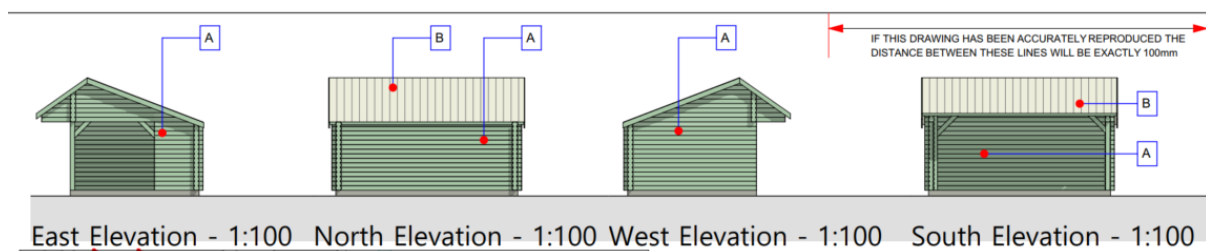


APPLICATION FOR HOUSEHOLDER PLANNING PERMISSION DELEGATED REPORT

APPLICATION REFERENCE:	PL/2026/00600
APPLICATION TYPE:	Householder planning permission
SITE ADDRESS:	Vine Cottage, Crudwell, Malmesbury, SN16 9ER
DEVELOPMENT DESCRIPTION:	Erection of outdoor gazebo
RECOMMENDATION:	That Planning Permission be GRANTED

PROPOSAL

The proposal seeks permission for the erection of a timber-framed gazebo measuring approximately 5m by 3.5m, front eaves of 2.07m with a height to the ridge of 3.16m; to be finished in a mid-green paint finish with a corrugated metal roof and open on two sides. The proposed structure would be used as a covered seating area ancillary to the host dwelling. The proposed would be positioned at the edge of the garden, with minimal vegetation removal.



SITE DESCRIPTION/CONTEXT

Vine Cottage is a Grade II listed, early Victorian semi-detached dwelling located within the Crudwell Conservation Area and set perpendicular to the A429 (The Street). The garden land associated with the property lies to the south, separated from the house by an access track, and already accommodates two approved outbuildings granted permission in 2017. The site sits within Flood Zone 2 adjacent to Swill Brook. The garden area is enclosed, partly vegetated, and forms an established part of the residential curtilage. Public Right of Way (PRoW) CRUD7 runs along the water course southwest of the site.

List Entry: *Former Almshouses, now two cottages. Dated on west gable end: 'WM/AD/1847' with late C19 shop window and C20 alterations. Squared and coursed rubble with timber bargeboards and concrete slate roof with stone stacks with rebuilt caps. Two-storey and attic, 6-window range set at right-angles to road. Windows to south elevation are 2 and 3-light pointed-headed casements, those to attic under gables: attenuated gables to end bays, half-hipped gables between; decorative bargeboards. Three plank doors, that to centre part-glazed, all with lean-to stone slate porches. String course with developed gables over each porch. Roadside gable end has 2 single-light Tudor-arched windows with hoodmoulds, datestone and half-hipped gable. Late C19 former shop window to ground floor. A vigorous and little modified example of Early Victorian design.*

The application site is subject to the following planning policy constraints:

- *Crudwell Conservation Area*
- *List Entry No 1363893 Former Almshouses, Lime Cottage and Vine Cottage Grade II Listed Buildings*
- *Public Right of Way (PRoW) CRUD7*
- *Crudwell Neighbourhood Plan 2019 to 2026. Made May 2021*
- *Crudwell Designated Larger Village*
- *Flood Zone 2/3*
- *Countryside Character Areas Cotswolds*



PLANNING HISTORY

Proposal / Summary

17/04759/LBC - Listed building consent Decision - Approve with Conditions Date: 12/7/2017 – Erection of a single storey extension, enlargement of storage shed, removal of existing garage and internal works to include the return of staircase to the original position, creation of en-suite bathroom, enlarge existing bathroom, remodel existing kitchen & utility rooms Approved with conditions, 12/07/2017

17/03968/FUL - Full planning permission Decision - Approve with Conditions Date: 12/7/2017 – Single storey extension and alterations to listed building (Resubmission of 17/01147/FUL)- Approved with conditions.

17/01148/FUL - Full planning permission Decision - Approve with Conditions Date: 28/4/2017 – Development within the curtilage of a listed building - erection of garden shed and summer house – Approved with Conditions
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RELEVANT POLICIES AND GUIDANCE

Wiltshire Core Strategy:

- Core Policy 57 Ensuring High Quality Design and Place Shaping
- Core Policy 51: Landscape
- Core Policy 58: Ensuring the Conservation of the Historic Environment
- Core Policy 61: Transport and New Development
- Core Policy 64: Demand Management
- Core Policy 67: Flood Risk

Wiltshire Design Guide:

The National Planning Policy Framework (NPPF)

The Planning Practice Guidance

National Design Guide

CONSULTATION RESPONSES

Parish/Town Council: No comment

Crudwell Parish Council makes no comment regarding this planning application PL/2026/00600.

WC Drainage: No Comment

Based on the scale of this development, the drainage team do not feel we need to comment on this application

WC Public Rights of Way: No comments received

Environment Agency: Comments

Proposal falls within the Environment Agency's standing advice <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications#when-to-follow-standing-advice>

REPRESENTATIONS

No comments were received.

ASSESSMENT

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise."

In accordance with this statutory requirement, this application has been assessed against the relevant policies of the Development Plan, including the adopted Wiltshire Core Strategy (2015) and, where applicable, any made Neighbourhood Plans.

Design and Impact upon the character and context of the area

Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that all new development is of high design quality, reflecting local context, character, and distinctiveness.

In this case, the proposed gazebo is a small, unobtrusive structure—measuring around 5m by 3.5m, with an eaves height of 2.07m and a ridge height of 3.16m—and finished in a muted mid-green with a simple corrugated metal roof. Although the garden sits outside the defined settlement boundary, it is clearly established as residential curtilage and already contains typical domestic outbuildings. The gazebo would sit at the far end of the garden, away from the conservation area boundary, where existing planting and boundary treatments help it blend naturally into its surroundings. Garden structures of this nature are entirely expected within a residential setting, and the modest scale and open-sided form ensure that the building would read as an ancillary feature associated with normal domestic use. Only a very small amount of vegetation needs to be removed, and the proposal would not alter the garden's character or impact the wider landscape.

Having regard to the above, the proposal complies with the design principles set out in Core Policy 57 of the Wiltshire Core Strategy and Appendix D of the Wiltshire Design Guide.

Amenity

Point vii of Core Policy 57 - Ensuring High Quality Design and Place Shaping of the Wiltshire Core Strategy seeks to ensure that developments do not adversely affect neighbouring properties.

The National Planning Policy Framework (NPPF), particularly Paragraph 135(f), stresses that planning decisions should ensure developments provide a high standard of amenity for existing and future users.

The garden associated with Vine Cottage is already established as residential curtilage and sits to the south of the host dwelling, separated by an access track and enclosed by existing boundary treatments and vegetation. The proposed gazebo is modest in scale, open-sided,

and positioned at the far end of the garden, well away from the nearest residential properties. As such, it would not introduce any harmful overlooking, loss of privacy, overshadowing, or noise beyond what is ordinarily expected within a domestic garden setting. From a visual perspective, the structure would sit against a well-vegetated backdrop and would be read alongside the two existing outbuildings, both of which were granted planning permission in 2017. Its mid-green finish and simple timber form ensure it blends naturally into the garden environment without drawing undue attention or affecting the setting of the Grade II listed building or the wider Crudwell Conservation Area. Views from the nearby Public Right of Way (PRoW CRUD7), which follows the watercourse to the southwest, would be limited and filtered by existing planting, resulting in no material harm to the rural or historic character of the area. Overall, the development preserves both neighbouring amenity and visual amenity, consistent with the expectations of Core Policy 57.

The proposal therefore accords with Core Policy 57 point vii in respect of safeguarding residential amenity and Appendix D of the Wiltshire Design Guide.

Heritage Impact

From the point of view of the historic environment the main statutory tests are set out within the Planning (Listed Building and Conservation Areas) Act 1990.

Section 66 requires that special regard be given to the desirability of preserving listed buildings, their settings or any features of special architectural or historic interest which they possess.

Section 72(1) of the Act requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council's Core Strategy Policy CP58 'Ensuring the conservation of the historic environment' requires that designated and non-designated heritage assets and their settings will be conserved, and where appropriate enhanced, in a manner appropriate to their significance and encourages proposals which improve the condition of heritage assets at risk.

The Council's Core Strategy CP 57: Ensuring high quality design requires a high quality of design in all new developments. The policy requires applicants to "demonstrate how the proposal will make a positive contribution to the character of Wiltshire through (amongst other things) responding to the value of the natural and historic environment and being sympathetic to and conserving historic buildings and landscapes. Development is required to respond positively to the existing in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials, streetscape and rooflines to effectively integrate the building into its setting.

The NPPF outlines government policy for planning. Chapter 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development.

The site is located outside the Crudwell Conservation Area but is located within the domestic curtilage of a Grade II Listed Building.

The proposal, through its modest size, simple design, and muted materials, would sit comfortably within the established garden and is not considered to harm the character or appearance of the Crudwell Conservation Area or the setting of the Grade II listed Vine Cottage. The gazebo is positioned discreetly at the southern end of the garden, where existing planting and boundary features help it blend into the wider landscape, ensuring it does not interfere with important views or the historic relationship between the cottage and its surroundings. It is considered that, given the scale, mass, and location, the development preserves the special interest and setting of the listed building and does not detract from the overall character or appearance of the conservation area. Policy requirements are considered to be met as the structure respects the historic environment, uses appropriate materials, and responds positively to its setting without introducing inappropriate scale or massing. The proposal also aligns with the principles of the NPPF, which encourages sensitive, well-considered development that conserves and enhances the historic environment. Taken together, the scheme represents a sympathetic and low-impact addition, and it is therefore concluded that no harm would arise to any heritage asset.

The development is therefore considered to comply with Core Policy 58 of the Wiltshire Core Strategy and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the relevant provisions of the NPPF.

Drainage and Flood Risk

Core Policy 67 of the Wiltshire Core Strategy and paragraph 181 of the NPPF requires that all new development avoids increasing flood risk on-site or elsewhere and, where appropriate, incorporates sustainable drainage measures. Development must also comply with national policy on flood risk management and drainage design. Paragraph 176 (via footnote 62) of the NPPF states that householder development should not be subject to the sequential test, nor the exception test.

The application site lies within Flood Zone 2, adjacent to Swill Brook; however, the proposal relates to a modest householder structure situated within an established garden curtilage. In accordance with paragraph 176 of the NPPF, householder development is not required to undertake the Sequential or Exception Tests. The Environment Agency has confirmed that the proposal falls within its Standing Advice, and no site-specific flood risk concerns have been raised. Wiltshire Council Drainage has also offered no comment, noting that the scale of the works does not necessitate further assessment.

The gazebo is of lightweight, permeable construction, is open on two sides, and does not introduce any additional hardstanding that would materially alter existing surface water runoff patterns. Existing drainage arrangements within the curtilage would be sufficient to manage existing rainwater, and no evidence of localised flooding or poor drainage within the garden has been identified outside of the development area being in Flood Zone 2.

Given the minor nature of the proposal, the absence of new impermeable surfacing, and consultee confirmation that Standing Advice applies, the development is considered to pose no increase in flood risk on site or elsewhere.

The proposal therefore complies with Core Policy 67 of the Wiltshire Core Strategy and the policy in the NPPF, ensuring that flood risk is not increased and that surface water drainage is appropriately managed.

Biodiversity Net Gain

Householder planning applications are exempt from the requirement to deliver Biodiversity Net Gain under Schedule 7A, Section 4(2)(a) of the Town and Country Planning Act 1990, as inserted by the Environment Act 2021.

CONCLUSION

The proposed development is considered to be acceptable in terms of its design, scale, and relationship with the surrounding area. It would not result in any unacceptable harm to the character of the locality, the amenities of neighbouring occupiers, or the interests of highway safety, heritage, or ecology.

The proposal is therefore considered to comply with the relevant policies of the Wiltshire Core Strategy, the Wiltshire Local Plan, and the National Planning Policy Framework. As such, the application is recommended for approval, subject to the conditions set out below.

RECOMMENDATION: That Planning Permission be GRANTED subject to conditions.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location Plan, Site Plan, Proposed Plans and Elevations DWG 2612_1101 received 6th February 2026

Application Form received 29th January 2026

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those set out in Drawing Number 2612_1101.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. The garden gazebo hereby approved shall be demolished and permanently removed from the site when it is no longer in use and shall not be retained, re-used, or re-erected thereafter.

Reason: In the interests of visual amenity and to preserve the character and appearance of the area.

INFORMATIVE

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.